

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

- against -

ORDER

13 CR 220 (RJD)

BEBARS BASLAN,

Defendant.

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DEARIE, District Judge.

With the post-trial motions fully briefed and the extensive sentencing submissions before the Court, defense counsel Ephraim Savitt asks to be relieved as counsel for Mr. Baslan and for an adjournment of the February 27, 2015 sentencing proceedings. ECF #165.

The applications are denied.

Mr. Savitt reports that he just had a “lengthy discussion” with his client during which he learned of “a number of points and challenges to the PSR”—in addition to those Mr. Savitt already discussed in his sentencing memorandum—that Mr. Baslan would like to advance through new counsel. Mr. Savitt’s letter goes on to provide a brief synopsis of “[t]he prime example” of these new challenges, and is accompanied by his supplemental sentencing letter advancing five additional objections to the PSR. ECF #166.

Mr. Baslan has apparently advised Mr. Savitt that should the Court not relieve Mr. Savitt and appoint substitute counsel, he “will insist on proceeding pro se.” That, of course, is Mr. Baslan’s right and should he make such an application, the Court will conduct the necessary *Faretta* colloquy to ensure that the purported waiver of his right to representation is bona fide, knowing and voluntary.

In the meantime, the Court is all ears, ready and willing to hear any and all “additional” sentencing challenges that Mr. Baslan may have, either by letter or in person at the sentencing hearing, which will proceed as scheduled on February 27, 2015 at noon.

SO ORDERED.

Dated: Brooklyn, New York
January 7, 2015

/s/ Judge Raymond J. Dearie

RAYMOND J. DEARIE
United States District Judge